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#110 # Doe

JAN 23 2004

PATENT

Attorney Docket No. OUTT-011/01US

Express Mail Label Number:

EV316 174 890US

OFFICE OF PETITIONS

Date: January 16, 2004

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of: Mark Henry HARTMANN et al.

Examiner: EASHOO, Mark

Serial No.: 09/777,512

Art Unit: 1732

Confirmation No.: 8432

Customer No.: 23419

Filed: February 06, 2001

Attorney Docket No.: OUTT-011/01US

For: MELT SPINABLE CONCENTRATE PELLETS HAVING ENHANCED REVERSIBLE  
THERMAL PROPERTIES

**Mail Stop Petition**

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED  
UNINTENTIONALLY UNDER 37 CFR 1.137(b) TRANSMITTAL**

Enclosed please find the following:

- ☒ Petition for Revival of an Application for Patent Abandoned Unintentionally Under 37 CFR 1.137(b) (PTO/SB/64)
- ☒ Declaration Supporting Petition Under 37 CFR §1.137 (b)
- ☒ Response to Office Action dated July 2, 2003 filed on October 2, 2003
- ☒ Return receipt postcard

The Commissioner is hereby authorized to charge any appropriate fees under 37 C.F.R. §§1.16, 1.17, and 1.21 that may be required by this paper, and to credit any overpayment, to Deposit Account No. 03-3117.

Date: **January 16, 2004**

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Palo Alto, CA 94306-2155  
Tel: (650) 843-5000  
Fax: (650) 857-0663  
CZR:mrc

Respectfully submitted,  
**COOLEY GODWARD LLP**

By:



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Cliff Z. Liu  
Reg. No. 50,834



Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

## OUTT-011/01US

**FAX: (703) 872-9306**

#B#P01!.DOC

3. Terminal disclaimer with disclaimer fee

- ☒ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.
- ☐ A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$\_\_\_\_\_ for a small entity or \$\_\_\_\_\_ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

4. STATEMENT: The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. [NOTE: The United States Patent and Trademark office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c), subsections (III)(C) and (D))].

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

January 16, 2004

Date

Telephone

Number: 650-843-5852



Signature

Cliff Z. Liu

Typed or printed name

Five Palo Alto Square

Address

3000 El Camino Real

Address

Palo Alto, CA 94306-0663

Address

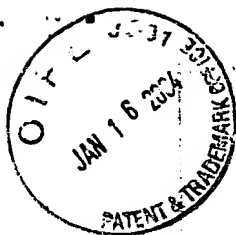
Enclosures: ☒ Fee Payment Deposit Account No. 03-3117

☒ Reply

☐ Terminal Disclaimer Form

☐ Additional sheets containing statements establishing unintentional delay

☒ Other: Declaration Supporting Petition Under 37 CFR 1.137 (b)



THE FOLLOWING HAS BEEN RECEIVED IN THE U.S. PATENT OFFICE ON THE DATE STAMPED HEREON:

☐ REGULAR/PROVISIONAL APPLICATION:

- ☐ PPS DESCRIPTION  
☐ PPS CLAIMS  
☐ PPS ABSTRACT

- ☐ PROVISIONAL COVER SHEET  
☐ APPLICATION DATA SHEET  
☐ DRAWINGS: \_\_\_\_\_ SHEETS OF INFORMAL/FORMAL  
☐ EXECUTED/UNEXECUTED DECLARATION / POA  
☐ POWER OF ATTORNEY  
☐ RECORDATION FORM COVER SHEET  
☐ ASSIGNMENT  
☐ ASSERTION OF SMALL ENTITY STATUS  
☐ REQUEST FOR REFUND  
☐ RESPONSE/AMENDMENT  
☐ RESPONSE TO NOTICE TO FILE MISSING PARTS  
☐ NOTICE TO FILE MISSING PARTS

SERIAL NO.: 09/777,512  
ATTORNEY DOCKET NO.: OUTT-011/01VS  
MAIL DATE: 6/25/02  
DUE DATE: \_\_\_\_\_  
ATTORNEY/SECRETARY: C2L/dm

☐ RESPONSE TO NOTICE TO FILE MISSING PARTS

- ☐ NOTICE TO FILE MISSING PARTS  
☒ INFORMATION DISCLOSURE STATEMENT  
☒ FORM PTO/SB/08

- ☒ CITED REFERENCES 129  
☐ SEQUENCE LISTING - HARD COPY  
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☐ NOTICE OF APPEAL  
☐ APPEAL BRIEF  
☐ ISSUE FEE TRANSMITTAL

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☐ REQUEST FOR CORRECTION OF \_\_\_\_\_  
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BOX \_\_\_\_\_

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